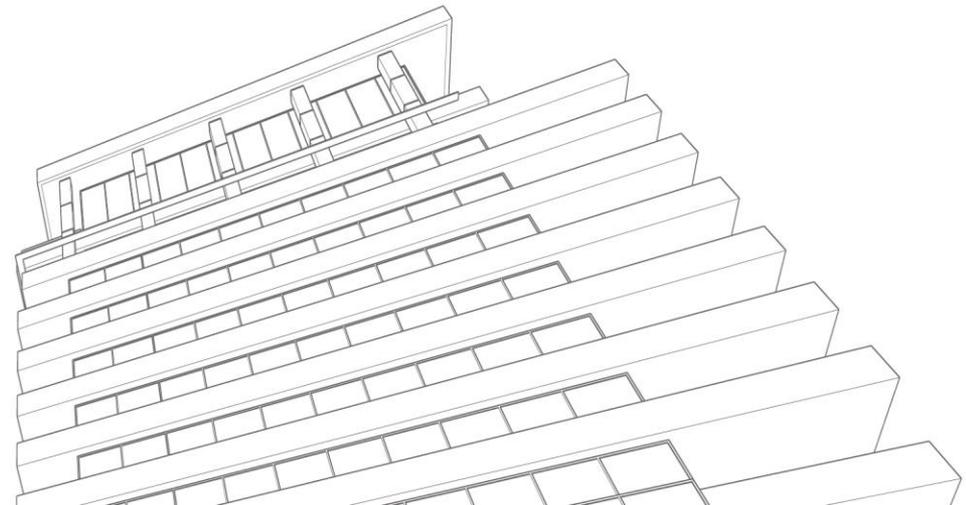


Local Law 196 of 2017 ***Construction Safety*** ***Training***

Information Session



What is Local Law 196 of 2017?

Local Law 196 of 2017, when fully phased-in, will require that:

- **Workers** at certain job sites receive 40 hours of safety training; and
- **Supervisors** at certain job sites receive 62 hours of safety training.

Who must be trained?

- **Workers** at job sites that are required to designate a Construction Superintendent, Site Safety Coordinator or Site Safety Manager.
- **Supervisors** at these job sites must also be trained. This includes Site Safety Managers, Site Safety Coordinators, Concrete Safety Managers, Construction Superintendents and competent persons.

Who does not need training?

- Delivery persons, flag persons, professional engineers, registered architects, Department-licensees and Department-registrants (excluding safety professionals) are not required to be trained.
- Workers at job sites that only involve minor alterations or the construction of a new 1-, 2-, or 3-family home are not required to be trained.

NOTES:

- *If you fall into one of these categories but serve as a Site Safety Manager, Site Safety Coordinator, Concrete Safety Manager, Construction Superintendent or competent person, you **must** receive training.*
- *While licensees themselves do not need to be trained, employees working under their direct and continuing supervision do need to be trained.*

Curriculum Background

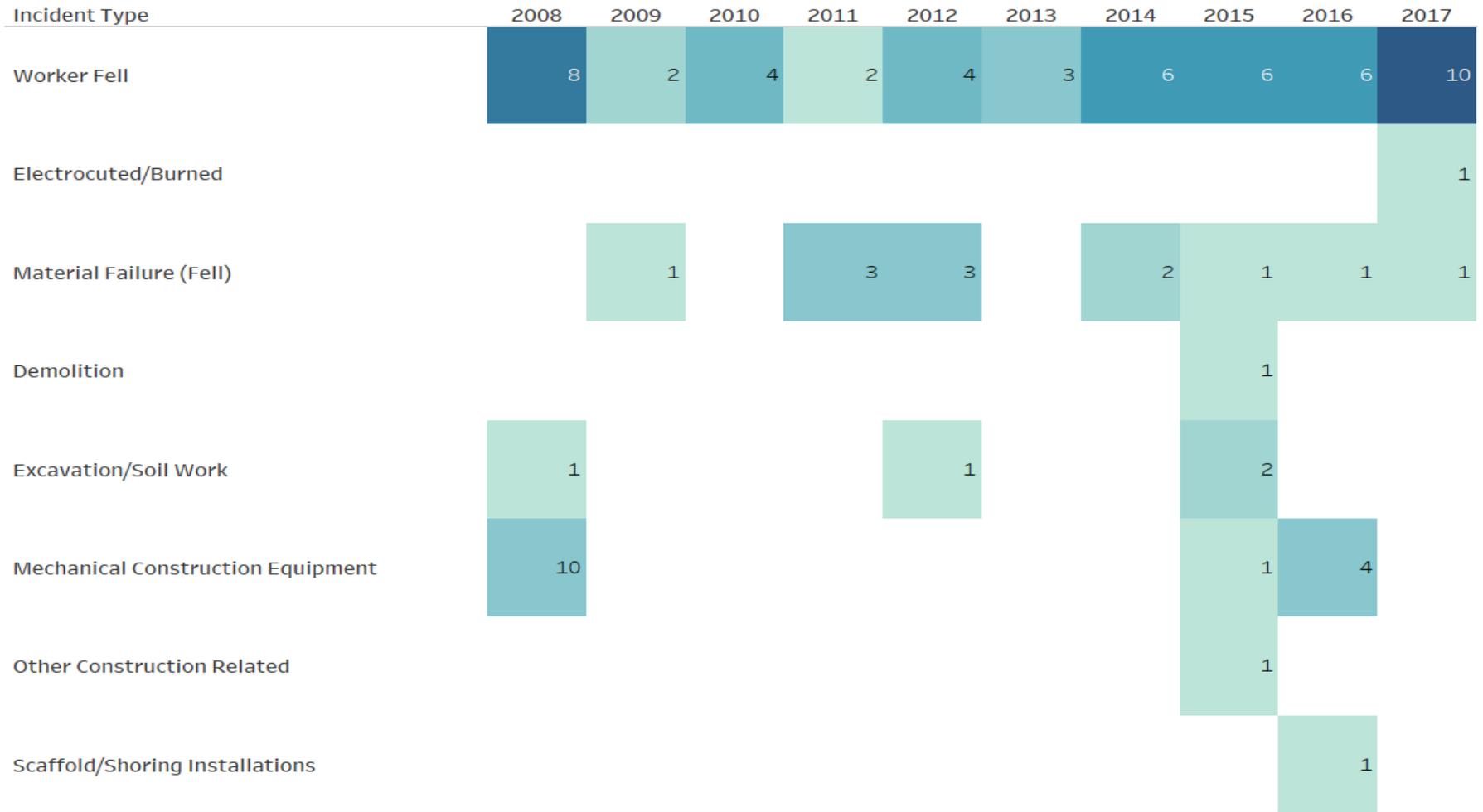
- The total number of hours of required training was decided by the Department after receiving recommendations from a task force composed of members with relevant experience.
- The list of topics that could satisfy the training requirements was also decided by the Department in the same manner.
- The task force provided its recommendations to the Department by March 1, 2018 in accordance with the law.

Construction-related Injuries by Incident Type 2008 - 2017

Incident Type	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Worker Fell	53.8%	47.0%	41.8%	40.5%	41.5%	32.4%	38.1%	30.8%	29.5%	30.1%
Material Failure (Fell)	29.4%	22.8%	17.6%	23.8%	21.1%	26.9%	25.1%	16.5%	14.6%	15.3%
Worker Cut		4.7%	6.5%	3.2%	4.7%	9.3%	5.8%	12.0%	17.5%	14.5%
Worker Misc Body		2.8%	6.5%	7.9%	7.6%	6.6%	5.4%	12.7%	10.3%	12.6%
Mechanical Construction Equipment	7.7%	5.6%	6.5%	4.0%	2.9%	4.4%	4.5%	4.9%	5.3%	6.8%
Object Struck Head/Face/Body	0.7%	2.8%	1.3%	4.0%	5.8%	2.7%	6.3%	4.7%	5.7%	5.0%
Other Construction Related	3.5%	3.3%	5.9%	3.2%	3.5%	2.2%	4.0%	2.8%	2.9%	4.4%
Worker/Person Tripped		0.5%	2.0%	1.6%	0.6%	0.5%	1.8%	4.0%	3.9%	2.4%
Back and Pulled Muscle		0.9%	1.3%	0.8%		3.3%	1.3%	1.2%	3.1%	2.4%
Scaffold/Shoring Installations	4.2%	5.6%	5.9%	5.6%	5.3%	5.5%	3.6%	4.2%	2.9%	1.7%
Electrocuted/Burned		2.8%	2.0%	1.6%	2.3%	2.2%	1.3%	1.2%	1.5%	1.3%
Worker in Motion		0.5%		0.8%	0.6%		1.8%	0.5%	1.0%	1.3%
Demolition		0.5%	0.7%	0.8%	2.3%	0.5%	0.4%	0.5%	0.5%	0.9%
Excavation/Soil Work	0.7%	0.5%	2.0%	2.4%	0.6%	2.2%		2.4%	0.9%	0.8%
Concrete Incident					1.2%	1.1%	0.4%	1.6%	0.5%	0.5%



Construction-related Fatalities by Type 2008 - 2017



When will workers need to be trained?

Training will be phased-in in **three** parts beginning on **March 1, 2018**, with full training being required by as late as **September 1, 2020**.

By March 1, 2018, all workers **must** have received a minimum 10 hours of training.

By May 1, 2019 or September 1, 2020 if the Department determines that there is insufficient capacity to provide training, workers **must** have a Site Safety Training Card, which means that they have been fully trained.

By December 1, 2018 or June 1, 2019 if the Department determines that there is insufficient capacity to provide training, workers **must** have at least a Limited Site Safety Training Card, which includes a minimum 30 hours of training.

Training Required on March 1, 2018

As of March 1, 2018, at a minimum, the following training will be required:

- an **OSHA 10-hour class**; *or*
- an **OSHA 30-hour class**; *or*
- a **100-hour training program** approved by the Department

Training Required on December 1, 2018

On December 1, 2018 (or June 1, 2019 if the Department determines that there is insufficient capacity to provide the training), workers will be required to have a **Limited Site Safety Training Card**:

- **OSHA 10 Version**
 - OSHA 10-Hour
 - 8-Hour Fall Prevention
 - 8-Hour Chapter 33 (Site Safety Manager Refresher)
 - 4-Hour Supported Scaffold User
- **OSHA 30 Version**
 - OSHA 30-Hour
- **100-Hour Training Program Version**
 - 100-hour training program that at a minimum meets the coursework identified in the curriculum for the Limited SST Card (OSHA 10 Version) or Limited SST Card (OSHA 30 Version)

Training Required on December 1, 2018

(continued)

On December 1, 2018 (or June 1, 2019 if the Department determines that there is insufficient capacity to provide the training), supervisors will be required to have a **Site Safety Training Supervisor Card**:

- OSHA 30-Hour
- 8-Hour Fall Prevention
- 8-Hour Chapter 33 (Site Safety Manager Refresher)
- 4-Hour Supported Scaffold User
- 2-Hour Site Safety Plan
- 2-Hour Tool Box Talks
- 2-Hour Pre-Task Safety Meetings
- 2-Hour Drug and Alcohol Awareness
- 2-Hour General Electives
- 2-Hour Specialized Electives

Electives

- The option to incorporate electives as part of the training requirement is intended to allow workers to take courses that may be relevant to the work they engage in.
- There are general and specialized electives that a worker can choose from.
- The full list of electives is available on the Department's website.

Training Required on December 1, 2018

On December 1, 2018 (or June 1, 2019 if the Department determines that there is insufficient capacity to provide the training), new entrants to the construction or demolition work force may begin working with a **Temporary Site Safety Training Card**, a nonrenewable card that expires after six months:

- **OSHA 10-Hour**

Training Required on May 1, 2019

On May 1, 2019 (or September 1, 2020 if the Department determines that there is insufficient capacity to provide the training), workers will be required to have a **Site Safety Training Card**:

- **OSHA 10 Version**
 - OSHA 10-Hour
 - 8-Hour Fall Prevention
 - 8-Hour Chapter 33 (Site Safety Manager Refresher)
 - 4-Hour Supported Scaffold User
 - 4-Hour General Electives
 - 4-Hour Specialized Electives
 - 2-Hour Drug and Alcohol Awareness

Training Required on May 1, 2019

(continued)

- **OSHA 30 Version**
 - OSHA 30-Hour
 - 8-Hour Fall Prevention
 - 2-Hour Drug and Alcohol Awareness

- **100-Hour Training Program Version**
 - 100-hour training program that at a minimum meets the coursework identified in the curriculum for the SST Card (OSHA 10 Version)

SST CARD: Prior Experience

An applicant for an SST Card, including a **Limited SST Card**, **SST Card** or **Supervisor SST Card**, who completed the training to comply with the requirements for such SST Card, but who did not complete a particular course topic within the five years preceding submission of an application for an SST Card, must complete the following training in the one-year period preceding submission of an application for an SST Card:

- 4-Hour Fall Prevention
- 4-Hour Supported Scaffold User

SST CARD: Refresher Training

SST cards expire after five years and are renewable upon a showing by an applicant that such applicant has, in the one-year period preceding submission of a renewal application, completed the following training:

- 4-Hour Fall Prevention
- 4-Hour Supported Scaffold User

Supervisor SST CARD: Refresher Training

Supervisor SST cards also expire after five years and are renewable upon a showing by an applicant that such applicant has, in the one-year period preceding submission of a renewal application, completed the following training:

- 8 Hours Fall Prevention
- 4 Hours Support Scaffold
- 2 Hours Tool Box Talks
- 2 Hours Pre-Task Safety Meetings

Actively Proctored Online Training

- **Online training** in any format received before **October 16, 2017** will be accepted.
- After **October 16, 2017**, **only in-person training** and **actively proctored online training** will be accepted. Actively proctored online training is:
 - online training that is taken in a classroom with a proctor; **or**
 - online training that at a minimum requires the individual receiving the training:
 - to attest that they are the individual that received the training and that the training was received without assistance; and
 - to have their participation monitored at random times to ensure that the individual receiving the training is present for the entirety of the training.

Enforcement

- Permit applicants will be required to certify to the Department that workers who will be working under the permit will have the requisite training.
- If the Department discovers that workers at a construction site are untrained, the Department will issue a violation with civil penalties that go as high as \$5,000 per untrained worker to the owner of the site, the permit holder and the employer of the untrained worker. These civil penalties can be mitigated if an employer sponsors training for such untrained worker.
- If the Department discovers that a permit holder has failed to maintain a log that demonstrated that all of the workers at a site are trained, the Department will issue a violation with a civil penalty of \$2,500.
- The Department will also conduct unannounced inspections at sites where untrained workers have been discovered.

Dates to Remember

- **October 16, 2017**
 - This is the date the legislation took effect and is relevant to online training.
- **March 1, 2018**
 - This is the date by which at least 10 hours of training was required.
 - This is the date by which the Site Safety Training Task Force was required to issue its recommendations regarding additional training hours and training topics to the Department.
- **December 1, 2018**
 - This is the date by which a **Limited SST Card** will be required for workers.
 - This is the date by which a **SST Supervisor Card** will be required for supervisors.
 - This is the date by which a **Temporary SST Card** will be required for new entrants to the industry.
- **May 1, 2019 or September 1, 2020**
 - This is the date by which a **SST Card** will be required for workers.

Becoming a Department-Approved Course Provider

Course Provider Requirements

- All Department approved course providers must comply with the Department's existing course provider requirements in **1 RCNY §105-03**.
- In addition to the existing requirements in **1 RCNY §105-03**, until further notice, all Department approved course providers must also comply with the following guidance on:
 - Course delivery method;
 - Card issuance; *and*
 - Recordkeeping and reporting.

Course Delivery Method

- Training may be conducted in-person or in an actively proctored online format as previously discussed.

Card Issuance

- Upon completion of a course, the course provider must issue a wallet-sized Site Safety Training Card that must include, at a minimum, the following information and security features:
 - Document security features designed to deter forgery and counterfeiting.
 - Unique identification card number.
 - Photographs of the person to whom it was issued.
 - The printed name and signature of the card holder.
 - Date of course completion.
 - Expiration date.
 - Name and address of provider of issuance.
 - A summary description of the type of training and number of credit hours completed.

Recordkeeping and Reporting

- The course provider **must** maintain a record of all **Temporary Site Safety Training Cards, Limited Site Safety Training Cards, Site Safety Training Cards, or Supervisor Site Safety Training Cards** issued for a minimum of seven years.
- The course provider **must** maintain a secure on-line verification system containing an up-to-date list of the name of the card holder, the unique identification card number, and the issuance and expiration date of the card. Such verification must be available to the City, including the Department, and contractors, to enable readily accessible confirmation of the names of card holders who have completed training through the particular course provider.
- Beginning July 1, 2018, and on October 1, January 1, April 1 and July 1 of each year thereafter, the course provider **must** report the number of Temporary Site Safety Training Cards, Limited Site Safety Training Cards, Site Safety Training Cards, or Supervisor Site Safety Training Cards issued each quarter in a format required by the Department.

Course Requirements

- Course requirements for each of the topics announced in May are available on the Department's website.
- Course requirements detail the content courses **must** cover.
- All courses **must** comply with applicable course requirements in order to be approved.

QUESTIONS



- If you have general questions about the training requirements, you may submit them to LocalLaw196@buildings.nyc.gov.
- If you have questions about becoming a Department approved course provider or about the course requirements, you may submit them to TrainingProviders@buildings.nyc.gov.